

**OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA**

**EIGHTH DAY'S PROCEEDINGS**

**Twenty-Ninth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Tuesday, April 15, 2003

The Senate was called to order at 9:00 o'clock A.M., by Hon. John Hainkel, President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Barham	Fields	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Smith
Cravins	Irons	Theunissen
Dardenne	Jones, B	
Dean	Jones, CD	
Total—22		

**ABSENT**

Bajoie	Hines	Romero
Bean	Holden	Schedler
Boissiere	Johnson	Tarver
Fontenot	Lambert	Thomas
Gautreaux	Marionneaux	Ullo
Heitmeier	McPherson	
Total—17		

The President of the Senate announced there were 22 Senators present and a quorum.

**Prayer**

The prayer was offered by Senator C.D. Jones, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Lambert, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Recess**

On motion of Senator Ellington, the Senate took a recess until 1:30 o'clock P.M.

**After Recess**

The Senate was called to order at 1:30 o'clock P.M. by the President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Barham	Fields	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Smith
Cravins	Irons	Theunissen
Dardenne	Jones, B	
Dean	Jones, CD	
Total—22		

**ABSENT**

Bajoie	Hines	Romero
Bean	Holden	Schedler
Boissiere	Johnson	Tarver
Fontenot	Lambert	Thomas
Gautreaux	Marionneaux	Ullo
Heitmeier	McPherson	
Total—17		

The President of the Senate announced there were 22 Senators present and a quorum.

**Senate Business Resumed**

**Introduction of Senate Resolutions**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 15—**

BY SENATORS BARHAM, HAINKEL, ADLEY, BAJOIE, BEAN, BOISSIERE, CAIN, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAU, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO

**A RESOLUTION**

To commend Mike Clausen for his heroic service to his country as a member of the United States Marine Corps.

On motion of Senator Hainkel, the resolution was read by title and adopted.

**Motion**

Senator Lambert moved that the Senate proceed to the House of Representatives to meet in Joint Session and recess until 4:00 o'clock P.M.

**Joint Session of the Legislature**

The joint session of the legislature was called to order at 1:30 P.M. by the Honorable John J. Hainkel, Jr., President of the Senate.

On motion of Sen. Lambert, the calling of the roll on the part of the Senate was dispensed with.

On motion of Rep. Bruneau, the calling of the roll on the part of the House was dispensed with.

The President of the Senate appointed the following special committee to escort the Honorable Pascal Calogero, Chief Justice of the Louisiana Supreme Court, who addressed the joint session of the legislature.

# Page 2 SENATE

April 15, 2003

## 8th DAY'S PROCEEDINGS

On the part of the Senate: Senators C. D. Jones, Bill Jones, Adley, Chaisson, Lentini, and Mount.

On the part of the House: Representatives Landrieu, Murray, Bruneau, Townsend, Karen Carter, and Robert Carter.

The President of the Senate introduced the Honorable Pascal Calogero, who addressed the joint session of the legislature.

On motion of Sen. Lambert, the Senate retired to its own chamber.

### After Joint Session

#### ROLL CALL

The Senate was called to order at 4:00 o'clock P.M. by the President of the Senate with the following Senators present:

#### PRESENT

Mr. President	Fields	Lentini
Adley	Gautreaux	Malone
Bajore	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

#### ABSENT

Bean	Fontenot	Marionneaux
Total—3		

The President of the Senate announced there were 36 Senators present and a quorum.

### Senate Business Resumed After Joint Session

#### Petitions, Memorials and Communications

The following petitions, memorials and communications were received and read:

#### SENATE STATE OF LOUISIANA

April 15, 2003

The Honorable John J. Hainkel, Jr.  
President, Louisiana State Senate  
Post Office Box 94183  
Baton Rouge, LA 70804

Dear Senator Hainkel:

I respectfully submit my resignation from the Judiciary A Senate Committee, effective April 15, 2003. I have enjoyed the opportunity to serve on this committee.

Very truly yours,  
ROBERT J. BARHAM

Louisiana State Senate  
District #33

#### SENATE STATE OF LOUISIANA

April 9, 2003

Honorable Robert Adley  
State Senator  
611 Jessie Jones Drive  
Benton, LA 71006

Dear Senator Adley:

In accordance with Senate Rule 13.1, I hereby appoint you to serve as a member of the **Senate Committee on Revenue and Fiscal Affairs**.

I have temporarily removed Senator Bean from his position on the committee and I will reappoint him upon his return.

Sincerely,  
JOHN J. HAINKEL, JR.

#### SENATE STATE OF LOUISIANA

April 15, 2003

Honorable Robert Adley  
State Senator  
611 Jessie Jones Drive  
Benton, LA 71006

Dear Senator Adley:

In accordance with Senate Rule 13.1, I hereby appoint you to serve as a member of the **Senate Committee on Judiciary A**.

As always, thank you for your assistance, cooperation and for your service in this very important undertaking.

Sincerely,  
JOHN J. HAINKEL, JR.

#### Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of taking up at this time.

#### Introduction of Senate Bills and Joint Resolutions

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

#### SENATE BILL NO. 1023— BY SENATOR B. JONES AND REPRESENTATIVE ALARIO AN ACT

To enact R.S. 17:3351.7, relative to the University of Louisiana System; to authorize the Board of Supervisors for the University of Louisiana System to impose an academic excellence fee for students attending the institutions under the management and supervision of the board; to provide for the fee amount; to provide relative to waivers for certain students; to provide for effectiveness; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Education.

**SENATE BILL NO. 1024—**

BY SENATOR ROMERO

**AN ACT**

To amend and reenact R.S. 56:40.9(A), and to enact R.S. 56:10(B)(12), relative to the Conservation Fund; to create the enforcement emergency situation response account as a special account in the fund; to provide for the deposit of monies into the account and for the use of such monies for enforcement purposes; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

**SENATE BILL NO. 1025—**

BY SENATOR DARDENNE

**AN ACT**

To amend and reenact R.S. 39:99.12(A), relative to the sale of tobacco assets; to provide for the sale of certain assets; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Finance.

**Introduction of Resolutions,  
Senate and Concurrent**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 16—**

BY SENATOR BARHAM

**A RESOLUTION**

To commend the Friendship Baptist Church of Bastrop for a century of service.

On motion of Senator Barham, the resolution was read by title and adopted.

**SENATE CONCURRENT RESOLUTION NO. 40—**

BY SENATOR ROMERO

**A CONCURRENT RESOLUTION**

To commend McIlhenny Company and the president and chief executive officer, Paul McIlhenny, for supportive actions taken to promote America's Wetland Campaign to Save Coastal Louisiana

The resolution was read by title. Senator Romero moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux	Michot
Bajoie	Heitmeier	Mount
Barham	Hines	Romero
Boissiere	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Jones, CD	Theunissen
Dean	Lambert	Thomas
Dupre	Lentini	Ullo
Ellington	Malone	
Fields	McPherson	

Total—31

**NAYS**

Total—0

**ABSENT**

Adley	Fontenot	Jones, B
Bean	Holden	Marionneaux
Cain	Johnson	
Total—8		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Senator Lambert in the Chair**

**SENATE CONCURRENT RESOLUTION NO. 41—**

BY SENATOR SCHEDLER

**A CONCURRENT RESOLUTION**

To proclaim April 15, 2003 as Equal Pay Day.

The resolution was read by title. Senator Schedler moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	McPherson
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Jones, CD	Theunissen
Dean	Lambert	Thomas
Dupre	Lentini	Ullo
Ellington	Malone	
Total—32		

**NAYS**

Total—0

**ABSENT**

Adley	Holden	Marionneaux
Bean	Johnson	
Fontenot	Jones, B	
Total—7		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

April 15, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 1444—**

BY REPRESENTATIVES HEBERT AND CAPELLA  
AN ACT

To amend and reenact R.S. 22:844.3, relative to the loaning of securities by domestic insurers; to provide for market value; to provide for custodian; to provide for collateral; and to provide for related matters.

**HOUSE BILL NO. 1227—**

BY REPRESENTATIVE BOWLER  
AN ACT

To amend and reenact R.S. 9:315.40(2) and R.S. 46:236.3(A)(1), to enact R.S. 46:236.1.1 through 236.1.10, and to repeal R.S. 46:236.1, relative to child support programs; to provide for definitions; to provide for the responsibilities of the department; to provide for the promulgation of rules; to provide for the authority of the secretary; to provide for a financial institution data match system; to provide for the disclosure of records; to provide limitations of liability; to authorize consumer reporting; to direct the Louisiana State Law Institute to place the provisions of Part II of Chapter 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:231 through 261, into new Subparts A, B, and C and to amend the headings of Subparts B and C; and to provide for related matters.

**HOUSE BILL NO. 1226—**

BY REPRESENTATIVE THOMPSON AND SENATOR SMITH  
AN ACT

To amend and reenact R.S. 3:264(B)(introductory paragraph), 266(19), 314(C), 414, 446.5(G), 543(C), 544(B)(5), 1604(A)(3), 3391.5(A), and 4402(A), R.S. 15:1153(B)(2)(d), and R.S. 49:327.1(N), 327.2(P), and 968(B)(18), relative to the House and Senate agriculture committees; to change various statutes to provide for the House and Senate Committees on Agriculture, Forestry, Aquaculture and Rural Development; and to provide for related matters.

**HOUSE BILL NO. 133—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 36:801.1(A) and 803(A), R.S. 44:5(A), and R.S. 49:191(13)(c) and 968(B)(1), to enact R.S. 36:4.1(G), and to repeal R.S. 36:4.1(B)(2), relative to economic development; to provide for the transfer of certain licensing agencies; to provide relative to public records; to provide for the termination of certain state entities; to provide for the review of agency rules; to provide for the transfer of the Louisiana State Racing Commission; and to provide for related matters.

**HOUSE BILL NO. 755—**

BY REPRESENTATIVE KENNARD  
AN ACT

To enact R.S. 40:1472.10(A)(9), relative to the regulation of explosives; to provide for additional grounds for denial, revocation, or suspension of certain explosives licenses; and to provide for related matters.

**HOUSE BILL NO. 1351—**

BY REPRESENTATIVES LAFLEUR AND MURRAY  
AN ACT

To amend and reenact R.S. 14:95(H), relative to the crime of illegal carrying of weapons; to include the district attorney and his designated assistant district attorneys and the attorney general and his designated assistant attorneys general in the list of officials who may carry a concealed handgun when certified by the Council on Peace Officer Standards and Training; and to provide for related matters.

**HOUSE BILL NO. 1211—**

BY REPRESENTATIVES BRUNEAU, DOWNER, AND MURRAY  
AN ACT

To amend and reenact R.S. 18:31(C), 103(A), 104(A)(15) and (16), 110(B)(1), 111(B), 154(C), 401.1(C) and (D)(1), 423(H), 425(A)(1)(b) and (2), 435(A)(1), 463(A)(2), 552(B), 553(B)(4), 563, 564(C), 574(A)(2), 576(B) and (C), 1259(B)(1) and (4), 1284(F)(1), 1286(A), 1299.1(A), 1300.2(C)(2), 1300.3(B), 1306(A)(3), 1307(C), and 1354(C), to enact R.S. 18:18.1, 110(B)(3), 401.1(G), 401.2, 552(C), and 1309(E)(4) and (5), and to repeal R.S. 18:425(A)(3) and R.S. 36:742.1, relative to the Election Code; to make technical changes to the Election Code; to prohibit the commissioner of elections and certain unclassified civil service employees from engaging in political activities; to provide relative to the name a woman may use to register to vote; to provide relative to charges for preparation of lists of voter registration information; to provide relative to form and signature requirements on applications to register to vote; to provide for procedures in circumstances of election emergency; to provide for transmission of certain voter registration data where necessary for verification purposes; to provide relative to a designee attending a board of election supervisors meeting; to provide for filing a list of watchers to be present at the precinct; to provide relative to the certification of a candidate in the notice of candidacy; to provide for the secretary of state to issue information as necessary under the Help America Vote Act; to provide for the definition of casting a vote; to provide for procedures for assisted voting; to provide relative to the transmission of election results to the secretary of state by the clerks of court; to provide relative to the format of ballots and statements of propositions and the manner of marking on a ballot; to provide relative to recall petitions and written requests to delete or add from such petitions; to provide relative to mail applications to vote absentee by mail; to provide for procedures for when a voter fails to activate the cast ballot mechanism; to prohibit a parish custodian from appointing a candidate or his family member from serving at certain polling places; and to provide for related matters.

**HOUSE BILL NO. 1592—**

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 9:2800, relative to ownership of improvements on state land; provides for ownership when the owner of the improvements no longer has the right to keep them on state land; and to provide for related matters.

**HOUSE BILL NO. 752—**

BY REPRESENTATIVES CAZAYOUX AND BRUCE  
AN ACT

To amend and reenact Code of Criminal Procedure Article 202(A)(introductory paragraph) and to enact Code of Criminal Procedure Article 202(D), relative to arrest warrants; to provide for issuance of the warrant by facsimile transmission; and to provide for related matters.

**HOUSE BILL NO. 767—**

BY REPRESENTATIVE BOWLER  
AN ACT

To amend and reenact R.S. 22:15(B)(1)(c), (e), (g), (o), (p), (q), and (r) and (2)(a)(iv), (vi), (vii), and (xvi) and (b)(vii) and (x), and (c)(vii), (x), and (xi), to enact R.S. 22:15(B)(1)(t) and (2)(a)(xvii), (b)(xi) and (xii), and (c)(xii) and (xiii), and to repeal R.S. 22:15(B)(1)(b) and (2)(a)(iii), relative to the Louisiana Property and Casualty Insurance Commission; to provide for membership; to provide for designees; and to provide for related matters.

**HOUSE BILL NO. 768—**

BY REPRESENTATIVES DIEZ, BAUDOUIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To enact Subpart E of Part II of Chapter 30 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4671, relative to sugar mill scales; to require sugar mills to lock out their scales in certain situations; to prohibit compensation for excess weight; to provide relative to certain requirements of the Department of Agriculture and Forestry; and to provide for related matters.

**HOUSE BILL NO. 83—**

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 33:9055.1, relative to the DeSoto Parish Ambulance Service District; to provide for an increase in the membership of the board of commissioners of the district; and to provide for related matters.

**HOUSE BILL NO. 157—**

BY REPRESENTATIVES DOWNER, FUTRELL, CAPELLA, R. CARTER, FAUCHEUX, AND WELCH

AN ACT

To amend and reenact R.S. 29:407(D), relative to the Military Service Relief Act; to provide relative to reinstatement of dependents to group, blanket, or franchise life, health, medical, and accident insurance after release from military service; and to provide for related matters.

**HOUSE BILL NO. 201—**

BY REPRESENTATIVE WALKER AND SENATOR HINES

AN ACT

To amend and reenact R.S. 33:130.581(A), 130.582(A)(introductory paragraph) and (5) and (B), and 130.584(A), (B)(introductory paragraph) and (1), (2), (5), (10), (11), and (14), and (C)(2) and to enact R.S. 33:130.582(A)(6), (7), and (8) and 130.584(B)(15), (16), (17), (18), and (19), relative to the Economic Development Board for the Parish of Avoyelles; to increase the membership of the board; to provide relative to the membership of the advisory board to the economic development board; to provide relative to the appointment of advisory board members; to provide relative to the terms of office of the members of such boards; and to provide for related matters.

**HOUSE BILL NO. 13—**

BY REPRESENTATIVE GALLOT

AN ACT

To enact R.S. 33:1448(K), relative to group insurance for retired sheriffs and deputy sheriffs; to require the sheriff in Claiborne Parish to pay for dental, hospital, surgical, and medical insurance for certain retired sheriffs and deputy sheriffs; and to provide for related matters.

**HOUSE BILL NO. 207—**

BY REPRESENTATIVE GALLOT

AN ACT

To enact R.S. 33:9103(A)(5), relative to the Lincoln Parish Communications District; to increase the membership of the board of commissioners; to provide relative to the terms of office of the board members; and to provide for related matters.

**HOUSE BILL NO. 230—**

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 33:1704.1(D), to enact R.S. 13:1883(I), and to repeal R.S. 13:1883(A)(11), relative to the salary of the marshal for the City Court of Natchitoches; to set the salary for the office of marshal; to provide for source of payment of the salary; to provide for receipt and deposit of fees for service of process in civil matters; and to provide for related matters.

**HOUSE BILL NO. 260—**

BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 15:571.11(C)(5), relative to the disposition of the Criminal Court Fund for the Twenty-First Judicial District; to provide that the accounts comprising the Criminal Court Fund be operated as a single fund; to provide for the yearly transfer of certain surpluses remaining in the fund; and to provide for related matters.

**HOUSE BILL NO. 263—**

BY REPRESENTATIVES BALDONE AND DOWNER

AN ACT

To enact R.S. 13:2109.5, relative to the City Court of Houma; to authorize the transfer of surplus funds or unclaimed fees from the court's civil fee account to the court's general operational fund; and to provide for related matters.

**HOUSE BILL NO. 344—**

BY REPRESENTATIVE HOPKINS

AN ACT

To amend and reenact R.S. 46:1053(N)(1)(b) and (2)(a) and to repeal R.S. 46:1053(N)(3), relative to the North Caddo Hospital Service District; to provide relative to the board of commissioners of the district; to provide relative to the terms of office of such members; and to provide for related matters.

**HOUSE BILL NO. 366—**

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 25:217.1, relative to certain DeSoto Parish library funds; to prohibit diversion of such funds; and to provide for related matters.

**HOUSE BILL NO. 457—**

BY REPRESENTATIVES TRICHE, FRITH, AND NEVERS

AN ACT

To enact R.S. 17:154.1(A)(3), relative to minimum requirements for instructional time; to provide for applicability of such requirements to certain public schools and school systems under certain circumstances; to provide for certification by the state superintendent of education relative to such applicability; to provide for rules and regulations adopted by the State Board of Elementary and Secondary Education relative to such applicability; to provide for effectiveness; and to provide for related matters.

**HOUSE BILL NO. 568—**

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:7.1(A)(4), relative to the certification of teachers; to provide for certification requirements relative to the teaching of reading for participants in certain alternate teacher education programs; and to provide for related matters.

**HOUSE BILL NO. 569—**

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:7.1(B), relative to the certification of certain public school administrators; to require, for certification as a principal or superintendent, the passage of an appropriate assessment instrument; to authorize the State Board of Elementary and Secondary Education to select the appropriate assessment instrument for such certification and to determine the level at which the assessment is satisfactorily passed; to provide for effectiveness; and to provide for related matters.

**HOUSE BILL NO. 571—**

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:7(6)(c)(i), relative to emergency teaching permits; to provide for the renewal of an emergency teaching permit by the state superintendent of education; to

provide limitations; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 631—**  
BY REPRESENTATIVE CURTIS

AN ACT

To amend and reenact R.S. 33:2740.46(B)(2) and (C), relative to the Alexandria Central Economic Development District; to provide relative to the boundaries of the district; to decrease the membership of the governing board of the district; to provide relative to the appointment, removal, and terms of board members; and to provide for related matters.

**HOUSE BILL NO. 709—**  
BY REPRESENTATIVES DOWNER, FUTRELL, CAPELLA, R. CARTER, FAUCHEUX, AND WELCH

AN ACT

To amend and reenact R.S. 29:405(A), relative to the Military Service Relief Act; to provide for the payment of compensation of state employees called to active service in the uniformed services; to provide for differential pay; to provide for clarification of uniformed service for payment of supplemental pay; to provide for applicability; and to provide for related matters.

**HOUSE BILL NO. 719—**  
BY REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 33:4712.8, relative to property owned by the town of Vinton; to provide relative to the disposition of such property; to provide relative to notices and procedures for such dispositions; to provide relative to the contesting of such dispositions; and to provide for related matters.

**HOUSE BILL NO. 728—**  
BY REPRESENTATIVE HOPKINS

AN ACT

To amend and reenact R.S. 40:1502.10(A), relative to Fire Protection District No. 1 of Caddo Parish; to authorize the governing authority of the district, subject to voter approval, to establish and collect a service charge or rates of service charges; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

### **Reports of Committees**

The following reports of committees were received and read:

#### **REPORT OF COMMITTEE ON**

#### **JUDICIARY A**

Senator Ellington, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

April 15, 2003

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

**SENATE BILL NO. 104—**  
BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 13:3881(A)(2)(d), relative to seizures; to provide for an exemption in bankruptcy proceedings for a motor vehicle valued at fifteen thousand dollars or less; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 134—**  
BY SENATOR HOYT

AN ACT

To enact R.S. 9:2781.2, relative to privileges; to provide for enforcement and collection of commissions or fees due a certified real estate appraiser; to provide for a privilege on certain immovable property; to provide for recordation of notice of privilege; to provide for ranking of the privilege; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 171—**  
BY SENATOR B. JONES

AN ACT

To amend and reenact R.S. 9:2799(A)(2) and (B)(1), relative to limitation of liability for damages from donated food; to provide for the limitation of liability for damages from donated food for certain designated distributors; to provide that the definition of a "food bank" include distributing edible products to nonprofit agencies that serve seniors; to provide that the definition of a "food bank" include nonprofit agencies that redistribute edible products to the needy, the ill, the handicapped, infants, and seniors, or to individuals or families who otherwise need emergency food assistance; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 232—**  
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 40:1299.41(A)(1), (8), and (9), relative to medical malpractice; to provide changes in definitions of certain terms; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 322—**  
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 40:1299.47(G)(4), relative to medical review panels; to provide for certain written reasons to be included in expert opinions rendered by the medical review panel; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 354—**  
BY SENATORS MCPHERSON AND CAIN

AN ACT

To enact R.S. 9:2795.1(A)(6)(d) and 2795.3, relative to limitations on liability; to provide for definitions; to provide for immunity from liability for an equine activity sponsor, an equine professional, or other person for injuries or death; to provide for exceptions; to require warning signs; to provide for failure to comply with the warning requirement; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 383—**  
BY SENATOR SCHEDLER

AN ACT

To amend and reenact Children's Code Article 603(13)(b), relative to children in need of care; to provide for mandatory reporting by a member of the clergy; to provide for a confidential communication exception to the mandatory reporter designation; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 419—**  
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 9:2716, relative to contracts; to provide for the terms for continuation of certain contracts; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 473—**  
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 9:391.1(A), relative to children conceived after the death of a parent; to provide that a child conceived after the death of a parent has all of the rights of a child as if the child had been in existence at the time of the death of the parent including the capacity to inherit from the deceased parent; to provide for the Louisiana State Law Institute to draft comments; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 684—**  
BY SENATOR ULLO

AN ACT

To enact R.S. 28:53.2(B)(5), relative to civil immunity; to exempt a coroner, his support staff and law enforcement officers from civil liability for forceful entry to secure protective custody; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 685—**  
BY SENATOR ULLO

AN ACT

To enact R.S. 33:1563(L), relative to civil immunity; to provide for civil immunity for coroner and supporting staff while in the performance of their duties; to require persons or entities alleging improper conduct to show reasonable doubt and proof of conduct which is without rational basis; to provide standards for civil action; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 691—**  
BY SENATOR ULLO

AN ACT

To enact R.S. 37:1737, relative to immunity from liability; to exempt from liability those engaged in certain "Amber Alert" activities; to provide immunity to state and local law enforcement, radio, television and cable operators, the Lottery Corporation and those associations and foundations engaged in the "Amber Alert" effort; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 739—**  
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 9:2793.3, relative to limitation of liability; to provide for a limitation of liability for physicians rendering certain gratuitous emergency services; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 748—**  
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 40:2010.8(D)(1) and 2010.9(A) and (B) and to enact R.S. 40:2010.9(C), relative to nursing homes and health care facilities; to provide for a residents' personal right of action; to provide that a resident may assert a cause of action for

injunctive relief; to provide that attorney fees cannot be recovered in a tort or contract action; to provide for a prescription period to bring such actions; to provide a peremptive period; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 797—**  
BY SENATOR BAJOEIE

AN ACT

To enact Children's Code Article 603.1, relative to abuse of children; to provide for mandatory reporters; to provide for certain educational requirements for teacher certification; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 968—**  
BY SENATOR B. JONES

AN ACT

To amend and reenact R.S. 46:153(H), relative to Medicaid assistance and estate recovery; to provide for retention of the Department of Health and Hospitals assignment of rights; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1009—**  
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 13:2095.2(A), and to enact Code of Criminal Procedure Art. 887(I), relative to the marshal of the city court of Pineville; to provide for the collection of fees in all criminal and traffic matters; to authorize the marshal to collect an additional fee from convicted persons as reimbursement for costs expended in executing warrants; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1016—**

BY SENATOR DUPRE AND REPRESENTATIVES DARTEZ AND DOWNER

AN ACT

To enact R.S. 13:1910.1, relative to city court judicial building funds; to authorize a service charge to be collected by the City Court of Houma and the Terrebonne Parish Consolidated Government; to provide for exclusive dedication of all monies collected; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
NOBLE E. ELLINGTON  
Chairman

**REPORT OF COMMITTEE ON**

**JUDICIARY B**

Senator Cravins, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

April 15, 2003

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:

# Page 8 SENATE

April 15, 2003

## 8th DAY'S PROCEEDINGS

### SENATE BILL NO. 418— BY SENATOR MCPHERSON

AN ACT

To enact R.S. 40:2402(4) and 2405(F); relative to Peace Officer Standards and Training Law; to provide with respect to peace officer training requirements; to provide for reimbursement of peace officer training by the subsequent hiring governmental entity; to provide for definitions; to provide for time and cost limitations on reimbursement after satisfactory completion of training; and to provide for related matters.

Reported with amendments.

### SENATE BILL NO. 508— BY SENATOR C. JONES

AN ACT

To enact R.S. 15:574.22(G)(4), relative to parole; to provide relative to the Louisiana Risk Review Panel; to provide relative to offenders serving a sentence of life imprisonment; to authorize application of such offenders to the risk review panel under certain conditions; to provide for exceptions; and to provide for related matters.

Reported favorably.

### SENATE BILL NO. 518— BY SENATOR C. JONES

AN ACT

To enact R.S. 15:827.1, relative to criminal procedure; to create the reentry preparation program within the Department of Public Safety and Corrections; to require certain personnel at state correctional facilities; to provide for duties of such personnel; to require participation of certain offenders in the reentry preparation program; to require certain instruction areas in such program; to authorize the assistance of public or private organizations for the delivery of such program; to provide relative to distance instruction; to require the promulgation of rules and guidelines; and to provide for related matters.

Reported with amendments.

### SENATE BILL NO. 634— BY SENATOR CAIN AND REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 27:353, relative to Pari-Mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide with respect to definitions; to define an emergency evacuation route; and to provide for related matters.

Reported with amendments.

### SENATE BILL NO. 995— BY SENATOR CRAVINS

AN ACT

To amend and reenact Code of Criminal Procedure Art. 900(A)(5) relative to probation; to provide for revocation of probation; to provide for service of suspended sentence; to limit such incarceration for certain violations; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
DONALD R. CRAVINS  
Chairman

#### REPORT OF COMMITTEE ON

#### JUDICIARY C

Senator Lentini, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

April 15, 2003

To the President and Members of the Senate:

I am directed by your Committee on Judiciary C to submit the following report:

### SENATE BILL NO. 113— BY SENATOR DUPRE

AN ACT

To enact R.S. 32:414(P), relative to motor vehicles; to provide for the suspension of a driver's license for certain criminal violations; and to provide for related matters.

Reported with amendments.

### SENATE BILL NO. 178— BY SENATOR DUPRE

AN ACT

To amend R.S. 14:99, relative to offenses effecting the public safety; to provide relative to reckless operation of a vehicle; to provide relative to the penalties for such offense; and to provide for related matters.

Reported favorably.

### SENATE BILL NO. 295— BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Criminal Procedure Art. 571.1 and 572 and to enact Code of Criminal Procedure Art. 572.1, relative to time limitations of prosecution; to repeal such limitations on certain offenses under certain conditions; to provide for definitions; to provide for retroactive application of provisions; and to provide for related matters.

Reported favorably.

### SENATE BILL NO. 321— BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 40:2405(C), relative to Peace Officer Standards and Training Law; to provide with respect to peace officer training requirements; to provide that a chief of police who is a full-time peace officer prior to a certain date shall not be required to complete a certified training program approved by the council; and to provide for related matters.

Reported by substitute.

### SENATE BILL NO. 346— BY SENATORS DARDENNE AND SCHEDLER

AN ACT

To amend and reenact R.S. 15:603(8), (9), (10), and (11), and 609(A), (B), and (C) and the Code of Criminal Procedure Art. 572 and to enact R.S. 15:603(12) and (13) and 609(F), (G), (H), and (I) relative to DNA detection of sexual and violent offenders; to provide relative to the collection of DNA samples from certain offenders; to provide for definitions; to add certain offenses to crimes requiring the collection of such samples; to provide relative to juvenile offenders; to require DNA samples collection of such offenders under certain conditions; to require DNA sample collection after interstate transfer of offenders under certain conditions; to prohibit the invalidation of a database match under certain circumstances; to provide relative to the limitation of the prosecution of noncapital offenses; to provide for exceptions to such limitations; to require retroactivity of such exceptions; to authorize the use of force under certain circumstances; and to provide for related matters.

Reported favorably.



**SENATE BILL NO. 405—**  
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 14:98(D)(1)(a), (c), and (e) and (E)(1)(a), (c), and (e) and to enact R.S. 15:571.3(C)(6) and (7), relative to operating a vehicle while intoxicated; to increase the length of mandatory imprisonment for third, fourth, and subsequent offenses; to prohibit diminution of sentence for such terms of imprisonment; to change required suspension of sentence to an option of the court; to require additional outpatient substance abuse treatment for such offenders; to authorize the treating physician of such offenders to determine the intensity of such treatment; to authorize the courts to impose immediate sanctions on such offenders during home incarceration; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 699—**  
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 14:79(A)(1), relative to protective orders in domestic violence cases; to authorize any law enforcement officer to serve a certified copy of a restraining order on a named defendant; to provide that such service noted in a police report may be used in any civil or criminal proceeding; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 758—**  
BY SENATOR CRAVINS

AN ACT

To enact R.S. 14:35.3, relative to offenses against the person; to create the crime of domestic abuse battery; to provide for definitions; to provide for criminal penalties; to provide for additional penalties when a minor child twelve years or younger is present during the commission of a domestic abuse battery; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI  
Chairman

**REPORT OF COMMITTEE ON**

**COMMERCE, CONSUMER PROTECTION  
AND INTERNATIONAL AFFAIRS**

Senator Hollis, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

April 15, 2003

To the President and Members of the Senate:

I am directed by your Committee on Commerce, Consumer Protection and International Affairs to submit the following report:

**SENATE BILL NO. 466—**  
BY SENATOR HOLLIS

AN ACT

To repeal R.S. 6:829, relative to savings and loan association investments; to repeal the restriction on investments in non-liquid assets; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 485—**  
BY SENATOR HOLLIS

AN ACT

To enact R.S. 6:506(E) and 507(D), relative to financial institution branch offices; to provide for leased branch offices; to provide for waiver of certain closure requirements; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 486—**  
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 6:714(A), (C), and (F) and 1188(C), relative to officers of savings and loan associations and savings banks; to provide for officers; to provide for election by the board of directors; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 487—**  
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 6:231(C), relative to amendments to the articles of incorporation of banks; to provide a procedure for after-the-fact approval of amendments to articles; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 489—**  
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 6:937 and 1207, relative to dividends and capital surplus; to revise certain dividend and capital surplus requirements; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 493—**  
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 6:822(2)(r), relative to loans and investments by associations; to increase the percentage of assets of associations of which loans entered into by the association may not exceed; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 495—**  
BY SENATOR HOLLIS

AN ACT

To repeal R.S. 6:124.1(B), relative to financial condition statements; to delete certain requirements from financial condition statements regarding community reinvestment ratings; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 496—**  
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 6:351(C) and 352.1(A), (B)(introductory paragraph), and (H)(2) and to repeal R.S. 6:352.1(H)(3) and (4), relative to share exchanges; to revise the definition of share exchange procedures between state financial institutions; to require commissioner approval for share exchanges; to require shareholder approval for share exchanges; to eliminate certain filing requirements with the commissioner; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 718—**  
BY SENATOR HOLLIS

## AN ACT

To amend and reenact R.S. 6:217(B) and (C), 232(C), 352.1(H)(4), 361(B)(2), 364.1(B), 365.1(A)(4), 366(E), 367(B)(7), 706(D), (E), and (F), 721(C)(4), (D), and (F), 862, 863(B), 868(E), 938(C), 1273(C), and 1284(5), relative to financial institution filing requirements; to eliminate document filing requirements with the secretary of state; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
KEN HOLLIS  
Chairman

**REPORT OF COMMITTEE ON****SENATE AND GOVERNMENTAL AFFAIRS**

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 15, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

**SENATE RESOLUTION NO. 9—**  
BY SENATOR SMITH

## A RESOLUTION

To amend and readopt Senate Rule Nos. 13.1(A)(1), and (G), and 13.4(1) and (13) of the Rules of Order of the Senate to establish the Senate Committee on Agriculture, Forestry, Aquaculture and Rural Development; to provide for the jurisdiction of the committee; and to provide for related matters.

Reported favorably.

**SENATE CONCURRENT RESOLUTION NO. 6—**  
BY SENATOR SCHEDLER

## A CONCURRENT RESOLUTION

To urge and request development of an ongoing association between the state of Louisiana and the province of Alberta, Canada.

Reported favorably.

**SENATE CONCURRENT RESOLUTION NO. 22—**  
BY SENATOR HAINKEL

## A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to appropriate for and expedite funding of state and local homeland security activities.

Reported favorably.

**SENATE BILL NO. 26—**  
BY SENATOR THEUNISSEN

## AN ACT

To amend and reenact R.S. 29:253(A)(1)(b) and (2), relative to the Veterans Affairs Commission; to provide for the nomination, appointments, and terms of office of the members thereof; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 32—**  
BY SENATOR DUPRE

## AN ACT

To enact R.S. 38:291(U)(2)(d), relative to the Terrebonne Levee and Conservation District; to provide for the membership of the board of commissioners; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 33—**  
BY SENATOR DUPRE

## AN ACT

To amend and reenact R.S. 38:291(P)(2) and 304(B) and to enact R.S. 38:291(P)(4), relative to the South Lafourche Levee District; to provide for membership of the board of commissioners; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 34—**  
BY SENATOR DUPRE

## AN ACT

To amend and reenact R.S. 38:291(T)(2) and 304(B) and to enact R.S. 38:291(T)(4), relative to the North Lafourche Conservation, Levee and Drainage District; to provide for membership of the board of commissioners; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 81—**  
BY SENATOR HOYT

## AN ACT

To repeal R.S. 18:402(F)(5), relative to election dates; to eliminate the January and July election dates for bond, tax or other proposition elections; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 211—**  
BY SENATOR BOISSIERE

## AN ACT

To enact R.S. 24:802(E), relative to the Louisiana Commission on Intergovernmental Relations; to authorize and provide for the establishment of an executive committee of the commission; to provide for its functions and duties; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 256—**  
BY SENATOR DARDENNE

## AN ACT

To enact R.S. 42:1159, relative to electronic access to certain information of the Board of Ethics; to require the Board of Ethics to make certain information accessible to the public via the Internet; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 291—**  
BY SENATOR SMITH AND REPRESENTATIVES FANNIN AND TOWNSEND

## AN ACT

To enact R.S. 49:170.8, relative to state symbols; to provide that the annual "Uncle Earl's Hog Dog Trials" held in the city of Winnfield, Louisiana, shall be the official state "Uncle Earl's Hog Dog Trials"; to designate the fourth weekend in March of every year as "Uncle Earl's Hog Dog Trials Weekend" in the state; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 412—**  
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 24:513(I)(1)(c)(i)(aa), relative to audit requirements; to provide that monies received from rural development grants shall not be included in the computation of threshold limits for audit requirements; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 440—**  
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 49:1115(A)(4),(9),(10),(15), and (16), and 1119, and to repeal R.S. 49:1115(A)(14), relative to the office of the lieutenant governor; to provide for changes to the SERVE Commission; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 623—**  
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 24:772(A), relative to reports to the legislature; to require that e-mail notification of reports be sent to members of the legislature; to require agencies to offer publications in an electronic format; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 687—**  
BY SENATOR ULLO

AN ACT

To repeal R.S. 42:1116.1, relative to elected officials; to repeal the requirement of random drug testing of elected officials; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 689—**  
BY SENATOR ULLO

AN ACT

To enact R.S. 49:191(13) and to repeal R.S. 49:191(12)(g), relative to the Department of Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 690—**  
BY SENATOR ULLO

AN ACT

To enact R.S. 49:191(13) and to repeal R.S. 49:191(12)(f), relative to the Department of State, including provisions to provide for the re-creation of the Department of State and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 694—**  
BY SENATOR ULLO

AN ACT

To enact R.S. 18:1483(7)(f), relative to candidates for school board and parish council; to provide that candidates for school board and parish council be designated as district offices in a parish with a population less than four hundred fifty thousand and greater than four hundred thousand; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 696—**  
BY SENATOR ULLO

AN ACT

To enact R.S. 18:1483(7)(f), relative to the office of marshals; to provide that regardless of the population of the district all marshals for city courts, for purposes of campaign finance laws, be defined as district offices; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 746—**  
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 24:513(A)(2) and (I)(1)(a) and R.S. 38:322, all relative to audit reports of state agencies, departments, boards and commissions included in the Comprehensive Annual Financial Report; to prescribe the audit requirements of certain state entities; to provide an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
CHRIS ULLO  
Chairman

**Motion to Recommit**

Senator Romero asked for and obtained a suspension of the rules and recommitted Senate Bill No. 1015 from the Committee on Health and Welfare to the Committee on Education.

**Motion to Recommit**

Senator C. Jones asked for and obtained a suspension of the rules and recommitted Senate Bill No. 736, which was on Third Reading and Final Passage, to the Committee on Finance.

**Motion to Recommit**

Senator Schedler asked for and obtained a suspension of the rules and recommitted Senate Bill No. 305, which was on Third Reading and Final Passage, to the Committee on Finance.

**Motion to Recommit**

Senator Boissiere asked for and obtained a suspension of the rules and recommitted Senate Bill No. 828 from the Committee on Revenue and Fiscal Affairs to the Committee on Finance.

**Motion to Make Special Order**

Senator Theunissen asked for and obtained a suspension of the rules for the purpose of making Senate Bill No. 225, which is on Third Reading and Final Passage, Special Order of the Day No. 1 on Tuesday, April 22, 2003 immediately following the Morning Hour.

**Motion to Make Special Order**

Senator Theunissen asked for and obtained a suspension of the rules for the purpose of making Senate Bill No. 710, which is on Third Reading and Final Passage, Special Order of the Day No. 2 on Tuesday, April 22, 2003 immediately following the Morning Hour.

**Senate Resolutions  
on Second Reading  
Reported by Committees**

The following Senate Resolutions reported by Committees were taken up and acted upon as follows:

**SENATE RESOLUTION NO. 11—**

BY SENATOR HOYT

**A RESOLUTION**

To study the effective use of taxpayer funds that are contributed to the state and statewide public retirement systems and used to fund retirement benefits, and to study each system's investment management structure, performance, and expenses, and to develop a more equitable benefit structure for new hires, and to report study findings and recommendations to the Senate prior to the convening of the 2004 Regular Session.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Original Senate Resolution No. 11 by Senator Hoyt

**AMENDMENT NO. 1**

On page 2, line 3 after "provides" delete "a guarantee of" and insert "that the accrued"

**AMENDMENT NO. 2**

On page 2, line 4 after "retirement systems" insert "cannot be diminished"

**AMENDMENT NO. 3**

On page 1, line 16 after "System," insert "Municipal Police Employees' Retirement System,"

**AMENDMENT NO. 4**

On page 3, after line 15, add the following: "BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, the Louisiana School Employees' Retirement System, the State Police Pension and Retirement System, the Assessors' Retirement Fund, the Clerks' of Court Retirement and Relief Fund, the District Attorneys' Retirement System, the Firefighters' Retirement System, the Municipal Employees' Retirement System, the Municipal Police Employees' Retirement System, the Parochial Employees' Retirement System, the Registrars of Voters Employees' Retirement System and the Sheriffs' Retirement System."

On motion of Senator Boissiere, the committee amendment was adopted.

The resolution was read by title. On motion of Senator Hoyt the amended Senate Resolution was adopted.

**Senate Concurrent Resolutions  
on Second Reading  
Reported by Committees**

The following Senate Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 14—**

BY SENATOR HOYT

**A CONCURRENT RESOLUTION**

To suspend for the 2002-2003 school year not to exceed June 30, 2003, certain provisions of R.S. 17:154.1(A)(1) and (B), relative to the minimum requirements of instructional time and the length of the school year, to suspend such provisions only for those city, parish or other public local school systems in which schools were closed for ten or more instructional days due to hurricanes Isadore and Lili.

Reported favorably by the Committee on Education.

On motion of Senator Theunissen, the resolution was read by title and ordered engrossed and passed to a third reading.

**Senate Bills and Joint Resolutions on  
Third Reading  
and Final Passage**

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

**SENATE BILL NO. 229—**

BY SENATOR HOLLIS

**AN ACT**

To enact R.S. 22:1193(K) and (L), relative to continuing education requirements for renewal of insurance licenses; to provide for the granting of continuing education credits to certain licensed agents and brokers active for participation in certain industry organizations; to provide for certain exceptions; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Hollis sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hollis to Engrossed Senate Bill No. 229 by Senator Hollis

**AMENDMENT NO. 1**

On page 1, line 2, after "(K)" delete "and (L)"

**AMENDMENT NO. 2**

On page 1, line 5, after "organizations;" delete the remainder of the line and on line 6, delete "provide for certain exceptions;"

**AMENDMENT NO. 3**

On page 1, line 8, after "(K)" delete "and (L)"

**AMENDMENT NO. 4**

On page 1, line 8, change "are" to "is"

**AMENDMENT NO. 5**

On page 2, deletes line 1 through 4

On motion of Senator Hollis, the amendments were adopted.

The bill was read by title. Senator Hollis moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Bean	Fontenot	Marionneaux
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 238—**

BY SENATOR SCHEDLER

**AN ACT**

To amend and reenact R.S. 40:2199(A)(1), relative to violations, penalties, fines, and appeal process for health care facilities; to provide for extending those powers to all health care providers licensed or certified by the Department of Health and Hospitals; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Schedler sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 238 by Senator Schedler

**AMENDMENT NO. 1**

On page 2, after line 4, insert the following:

"(A)(4) A "facility" shall not include any individual health care provider who is licensed or certified by one of the Boards under the Department of Health and Hospitals. These boards include, but are not limited to, Board of Pharmacy, Board of Physical Therapy, Board of Licensed Medical Examiners, Board of Dentistry, Board of Podiatry, Board of Optometrists."

On motion of Senator Schedler, the amendments were adopted.

**Senator Ellington in the Chair****Floor Amendments Sent Up**

Senator McPherson sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 238 by Senator Schedler

**AMENDMENT NO. 1**

On page 2, after line 4, insert the following:

"(A)(5) Any violation provided for in Paragraph A(3) above shall entitle both the facility and the complainant to an administrative appeal."

On motion of Senator McPherson, the amendments were adopted.

The bill was read by title. Senator Schedler moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Fields	Malone	
Gautreaux	McPherson	
Total—31		

**NAYS**

Total—0

**ABSENT**

Mr. President	Cravins	Jones, B
Adley	Fontenot	Marionneaux
Bean	Holden	
Total—8		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 251—**

BY SENATOR LENTINI (On Recommendation of the La. Law Institute)

**AN ACT**

To amend and reenact R.S. 9:1893, 1963, 1965, 1990, 2051, 2068, 2159(1), and 2241 and to enact R.S. 9:1809, 1979, and 2131, relative to the Louisiana Trust Code, the beneficiaries of a trust, the powers of a trustee, and the principal and income of a trust; to provide for the representation of a principal beneficiary who is a descendant, a sibling, or a descendant of a sibling of the settlor and who predeceases the settlor of a testamentary trust; to provide for a definition of accumulated income and to permit its distribution without objective standards; to provide for the beneficiaries of an interest in trust income after the termination of an interest in trust income; to provide for the status of a potential substitute principal beneficiary; to provide for the effect of a refusal of an interest in a trust; to provide for the modification, division, termination, or revocation of a trust by a testament; to provide for the non-prorata distribution of trust property by a trustee; to provide that a trustee may not make an adjustment between principal and income if the adjustment would cause ineligibility for the estate-tax or gift tax marital deduction or charitable deduction; to provide for the selection

by the trustee of the attorney to handle the legal affairs of a trust; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 251 by Senator Lentini

#### AMENDMENT NO. 1

On page 2, line 3, following "tax" and before "deduction" change "martial" to "marital"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Lentini moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Bajoie	Gautreaux	Lentini
Barham	Heitmeier	Malone
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lambert	Ullo
Total—33		

#### NAYS

Total—0

#### ABSENT

Mr. President	Bean	Marionneaux
Adley	Fontenot	Schedler
Total—6		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### SENATE BILL NO. 253—

BY SENATOR DARDENNE

#### AN ACT

To enact Chapter 1-C of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:61, relative to court costs and fees; to provide that any new court cost or fee or increase in an existing court cost or fee first be submitted to the Judicial Council for review and recommendation; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Gautreaux	Lentini
Bajoie	Heitmeier	Malone
Barham	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lambert	Ullo
Total—33		

#### NAYS

Total—0

#### ABSENT

Mr. President	Boissiere	Marionneaux
Bean	Fontenot	Schedler
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### SENATE BILL NO. 292—

BY SENATOR MOUNT

#### AN ACT

To amend and reenact Code of Criminal Procedure Art. 553(C), relative to method of pleading; authorizes a court to require a defendant to appear in open court for good cause shown; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—34		

#### NAYS

Total—0

#### ABSENT

Mr. President	Fontenot	Schedler
Bean	Marionneaux	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 294—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:751(A)(6), 752(2), 780(B)(1), 791(B), 1744(A)(1) and (2), and 1745(A)(1) and (2) and to enact R.S. 37:794(C) and (D) and 795(B)(1)(l) relative to the dental practice act; to provide definitions; to provide with respect to the burden of proof and decisions for certain hearings; to provide for inventory requirements; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lambert sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 294 by Senator Dardenne

AMENDMENT NO. 1

On page 4, line 11, following "CFR" change "1304.-12" to "1304.11"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bean	Fontenot	Marionneaux
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 297—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:788(B)(3) and 789(A) and (B) and to enact R.S. 37:789(C) and (D), relative to the practice of dentistry and dental hygiene without a license; to provide for penalties; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Dardenne sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 297 by Senator Dardenne

AMENDMENT NO. 1

On page 1, delete line 14 and insert the following:

"(3) ~~The board may levy a civil penalty of no more than five thousand dollars per offense upon any unlicensed person who, after a hearing or informal resolution in accordance with all provisions of the Administrative Procedure Act and the Dental Practice Act, is found to have practiced dentistry or dental hygiene without benefit of a currently valid license having been issued by this board pursuant to the provisions of this Chapter. In addition, the board may assess costs and attorney's fees against the unlicensed person found to have been practicing dentistry or dental hygiene without a current license.~~ **Whoever violates the provisions of this Section may also be**"

On motion of Senator Dardenne, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bean	Fontenot	Marionneaux
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 298—**  
BY SENATOR HINES

AN ACT

To enact R.S. 40:1299.36.1, relative to human cloning; to provide for an expiration date; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Hines sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

April 15, 2003

Amendments proposed by Senator Hines to Engrossed Senate Bill No. 298 by Senator Hines

### AMENDMENT NO. 1

On page 1, line 2, after "40:1299.36.1" insert "and to repeal Section 3 of Act No. 788 of the 1999 Regular Session"

### AMENDMENT NO. 2

On page 1, lines 2, 5, and 6, change "40:1299.36.1" to "40:1299.36.7"

### AMENDMENT NO. 3

On page 1, below line 9, add the following:

"Section 2. Section 3 of Act No. 788 of 1999 Regular Session is hereby repealed."

On motion of Senator Hines, the amendments were adopted.

The bill was read by title. Senator Hines moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Gautreaux	Lentini
Adley	Heitmeier	Malone
Bajoie	Hines	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lambert	Ullo
Total—33		

#### NAYS

Dean  
Total—1

#### ABSENT

Bean	Fontenot	McPherson
Cravins	Marionneaux	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 309— BY SENATOR SCHEDLER

#### AN ACT

To amend and reenact R.S. 40:44(C), relative to compulsory registration of births; to delete the reference to the local registrar; to add a reference to the Vital Records Registry; to change the time period for the preparer of the certificate to provide missing information; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Gautreaux	Malone
Adley	Heitmeier	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Total—35		

#### NAYS

Total—0

#### ABSENT

Bean	Fontenot
Cravins	Marionneaux
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 347— BY SENATOR BOISSIERE

#### AN ACT

To amend and reenact R.S. 8:1(7) and (26), 656, 657, 658, 661, and 662 and R.S. 37:831(9), (16), and (23), 846(A)(6), (11), (13), and (14) and 849 and to enact R.S. 37:831(53) through (71) and 846(A)(16) through (19), and Part III of Chapter 10 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:871 through 885, relative to crematories; to provide for definitions; to provide for records of cemetery authorities; to provide relative to the Louisiana State Board of Embalmers and Funeral Directors; to provide for grounds for administrative action; to provide for injunction proceedings; to prohibit certain actions; to provide for qualifications for licenses and exceptions; to provide for renewal of licenses; to provide for license fees; to provide for authorizing agents for cremation; to provide for authorizations to cremate and refusals to cremate; to provide for cremation containers; to provide for cremation procedures and delivery and packaging of cremated human remains; to provide for the disposition of cremated human remains; to provide for violations and penalties; to provide relative to liability; to provide for administration and the promulgation of rules and regulations; to provide relative to pre-arranged or prepaid cremation services; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 347 by Senator Boissiere

### AMENDMENT NO. 1

On page 1, line 4, change "71" to "70"

### AMENDMENT NO. 2



On page 4, line 18, change "71" to "70"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Bean	Fontenot	Marionneaux
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 375— BY SENATOR SCHEDLER

#### AN ACT

To amend and reenact the introductory paragraph of R.S. 15:542(B) and 542.1(D) and to enact R.S. 15:541(18), (19), and (20), 542(B)(5), 542.1(C)(6) and (G)(3) and R.S. 17:3135, relative to registration of sex offenders; to require certain sex offenders to notify the Louisiana Bureau of Criminal Identification and Information when enrolled or employed at any institution of postsecondary education; to require such bureau to notify the institution of postsecondary education where such offender is enrolled or employed; to provide for definitions; to require institutions of postsecondary education to inform students, faculty, and staff where information on sex offenders can be obtained; to require the Board of Regents to develop a policy for such notification; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 375 by Senator Schedler

#### AMENDMENT NO. 1

On page 2, between lines 5 and 6, insert asterisks "\*" \* "\*"

#### AMENDMENT NO. 2

On page 4, between lines 9 and 10, insert asterisks "\*" \* "\*"

On motion of Senator Lambert, the amendments were adopted.

### Mr. President in the Chair

The bill was read by title. Senator Schedler moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Bean	Fontenot	Marionneaux
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 376— BY SENATOR SCHEDLER

#### AN ACT

To amend and reenact R.S. 15:542.1(I)(4), relative to sex offenders; to provide relative to registration of sexually violent predators and child predators; to provide relative to required verification of address by such offenders; to provide relative to penalties for failure to provide such verification; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

### NAYS

Total—0

### ABSENT

Bean	Fontenot	Marionneaux
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 377— BY SENATOR SCHEDLER

#### AN ACT

To amend and reenact R.S. 40:2017.11, relative to fees for review of plans by the Department of Health and Hospitals; to increase fees for the review of construction plans for hospitals, ambulatory surgical centers, nursing homes, and group or community homes or other residential living options by the Department of Health and Hospitals; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Gautreaux	McPherson
Adley	Heitmeier	Michot
Bajoie	Hines	Mount
Barham	Holden	Romero
Boissiere	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields	Malone	
Total—34		

#### NAYS

Total—0

### ABSENT

Bean	Fontenot	Marionneaux
Cain	Jones, B	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 386— BY SENATOR SCHEDLER

#### AN ACT

To amend and reenact R.S. 13:4751(B), relative to petitioning for name change of adults and minors; to provide for additional venues for filing for name change; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Malone
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Total—35		

#### NAYS

Total—0

### ABSENT

Bean	Lentini
Fontenot	Marionneaux
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 387— BY SENATOR SCHEDLER

#### AN ACT

To amend and reenact R. S. 46:236.1(I)(2), relative to child support program; to provide relative to the collection of child support obligations; to provide relative to interception of federal tax refunds; to add certain situations to the authority for such intercepts; and to provide for related matters.

On motion of Senator Lambert, the bill, which is a duplicate of House Bill No. 449 was read by title and returned to the Calendar, subject to call.

### SENATE BILL NO. 415—

BY SENATOR SMITH AND REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact the introductory paragraph of R.S. 3:264(B), R.S. 3:266(19), 314(C), 414, 446.5(G), 543(C), 544(B)(5), 1604(A)(3), 3391.5(A), and 4402(A), R.S. 15:1153(B)(2)(d), and R.S. 49:327.1(N), 327.2(P), and 968(B)(18), relative to the Senate and House agriculture committees; to change various statutes to provide for the Senate and House Committees on Agriculture, Forestry, Aquaculture and Rural Development; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 415 by Senator Smith

#### AMENDMENT NO. 1

On page 3, line 3, following "annually," delete the remainder of the line and on line 4, delete "1991, and" and following "year" delete "thereafter"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Smith moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Bean	Fontenot	Marionneaux
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 497—

BY SENATOR HOLLIS AND MICHOT  
AN ACT

To amend and reenact R.S. 40:1722(B)(2), (3), (4), and (5), and (D), 1723(B), 1727(3), and 1728(A), and to enact R.S. 40:1730.1, and to repeal R.S. 40:1722(C), relative to the state building code; to provide for the building code; to provide for the mechanical code; to provide for the standard electric code; to clarify departmental jurisdictional responsibilities; to provide legislative findings; to provide for adoption of a uniform code; to provide for enforcement; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 497 by Senator Hollis

#### AMENDMENT NO. 1

On page 1, line 12, following "reenacted" and before "to" insert ", and R.S. 40:1730.1 is hereby enacted"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Hollis moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Bean	Fontenot	Marionneaux
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 592—

BY SENATOR SCHEDLER

#### AN ACT

To amend and reenact R.S. 40:1299.82(3), relative to the operations of the statewide cancer registry; to provide with respect to the powers and duties of the president; to provide for cooperation with additional cancer surveillance organizations in reporting data; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Gautreaux	McPherson
Adley	Heitmeier	Michot
Bajoie	Hines	Mount
Barham	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, CD	Thomas
Dean	Lambert	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—34		

#### NAYS

Total—0

#### ABSENT

Bean	Fontenot	Marionneaux
Fields	Jones, B	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 678—

BY SENATOR FONTENOT

#### AN ACT

To amend and reenact Part II-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:471 through 478, and R.S. 36:629(E)(6), relative to strawberries; to provide for the membership, powers, and duties of the Strawberry Marketing Board; to provide for assessments on the sale of strawberries; to provide for powers of the commissioner of agriculture and forestry; to provide for penalties; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

### SENATE BILL NO. 680—

BY SENATOR ULLO

#### AN ACT

To amend and reenact R.S. 8:454(B), relative to cemeteries; to provide for the definition of a designated trustee required for perpetual or endowed care cemeteries; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 680 by Senator Ullo

#### AMENDMENT NO. 1

On page 2, line 6, following "Section 2." and before "July" change "Effective" to "This Act shall become effective"

#### AMENDMENT NO. 2

On page 2, line 7, following "2003" insert a comma ","

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Ullo moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Heitmeier	McPherson
Adley	Hines	Michot
Bajoie	Holden	Mount
Barham	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Smith
Chaisson	Johnson	Tarver
Cravins	Jones, B	Theunissen
Dardenne	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Gautreaux	Malone	
Total—34		

#### NAYS

Dean  
Total—1

#### ABSENT

Bean	Fontenot
Fields	Marionneaux
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 681—

BY SENATOR ULLO

#### AN ACT

To amend and reenact R.S. 8:502(A), relative to certain trust fund requirements; to provide for the delivery of property or services at a future date; to provide for an increase in the trust fund requirement; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 681 by Senator Ullo

#### AMENDMENT NO. 1

On page 1, line 12, following "Chapter," change "where" to "when"

#### AMENDMENT NO. 2

On page 1, line 15, following "contract" insert a comma ","

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Ullo moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Gautreaux	Malone
Adley	Heitmeier	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—34		

#### NAYS

Total—0

#### ABSENT

Bean	Fontenot	Schedler
Fields	Marionneaux	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 686—**  
BY SENATOR ULLO

## AN ACT

To enact R.S. 47:9011.1, relative to broadcasting the "Amber Alert" signal by the Louisiana Lottery Corporation; to require the Louisiana Lottery Corporation to distribute information received from the state police relative to child abductions; to provide that lottery ticket terminals statewide shall be utilized to assist the "Amber Alert" system; to provide for the Lottery Corporation and the state police to enter into an agreement to receive and generate abduction and other emergency information; and to provide for related matters.

**Senator Lambert in the Chair**

The bill was read by title. Senator Ullo moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. President	Gautreaux	Malone
Adley	Heitmeier	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—35		

## NAYS

Total—0

## ABSENT

Bean	Fontenot
Fields	Marionneaux
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 745—**  
BY SENATOR SMITH

## AN ACT

To amend and reenact R.S. 14:67.1 and to repeal R.S. 14:67.4 and 67.5, relative to theft; to provide relative to theft of livestock; to define such theft; to include certain things within such definition; to provide for presumptive evidence of intent to deprive a person of livestock or proceeds from sale of livestock; to provide for an affirmative defense; to define livestock; to provide penalties; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Smith sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Smith to Engrossed Senate Bill No. 745 by Senator Smith

AMENDMENT NO. 1

On page 4, line 5, after "includes" add ", but is not limited to"

AMENDMENT NO. 2

On page 4, line 13, after "waters;" add "any commercial crawfish from any crawfish pond;"

On motion of Senator Smith, the amendments were adopted.

The bill was read by title. Senator Smith moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. President	Gautreaux	Malone
Adley	Heitmeier	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—35		

## NAYS

Total—0

## ABSENT

Bean	Fontenot
Fields	Marionneaux
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 777—**  
BY SENATOR GAUTREAUX

## AN ACT

To enact R.S. 3:4617(D) and (E), relative to advertising; to regulate the use of "Cajun" and "Louisiana Creole" in advertising food products; to prohibit deceptive packaging; and to provide for related matters.

The bill was read by title. Senator Gautreaux moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. President	Gautreaux	Malone
Adley	Heitmeier	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo

Ellington  
Total—35

Lentini  
NAYS

Total—0

ABSENT

Bean  
Fields  
Total—4

Fontenot  
Marionneaux

The Chair declared the bill was passed. The title was read and adopted. Senator Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 779— BY SENATOR SMITH

#### AN ACT

To amend and reenact Part VI of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:551.1 through 551.11, and to enact R.S. 3:551, relative to eggs; to provide for the membership, powers, and duties of the Louisiana Egg Commission; to provide for assessments on the sale of eggs; to provide for the powers of the commissioner of agriculture and forestry; to provide for penalties; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 779 by Senator Smith

#### AMENDMENT NO. 1

On page 1, line 12, change "R.S. 3:511" to "R.S. 3:551"

#### AMENDMENT NO. 2

On page 2, line 15, following "means" and before "standard" insert "a"

#### AMENDMENT NO. 3

On page 3, line 18, following the beginning of the line and before "liability" change "legal" to "limited"

#### AMENDMENT NO. 4

On page 9, line 17, following "conduct" and before "and" insert a comma ","

#### AMENDMENT NO. 5

On page 9, line 25, following "including" and before "advertising" delete "for"

#### AMENDMENT NO. 6

On page 9, line 26, following "publicity" and before "and" insert a comma ","

#### AMENDMENT NO. 7

On page 10, line 3, following "name" and before "or" insert a comma ","

#### AMENDMENT NO. 8

On page 10, line 5, following "name" and before "or" insert a comma ","

#### AMENDMENT NO. 9

On page 10, line 23, following "administer and before "and" insert a comma ","

#### AMENDMENT NO. 10

On page 10, line 24, following "penalties" and before "and" insert a comma ","

#### AMENDMENT NO. 11

On page 11, line 2, following "distribute" and before "sell" insert a comma ","

#### AMENDMENT NO. 12

On page 13, line 26, following "the" and before "or" change "egg" to "eggs"

#### AMENDMENT NO. 13

On page 16, line 1, following "distributes" and before "or" insert a comma ","

#### AMENDMENT NO. 14

On page 17, line 9, following "distributing" and before "or" insert a comma ","

#### AMENDMENT NO. 15

On page 17, line 17, following "sell" and before "or" insert a comma ","

#### AMENDMENT NO. 16

On page 19, line 10, following "administering" and before "and" insert a comma ","

#### AMENDMENT NO. 17

On page 19, line 12, following "to:" and before the end of the line, change "advertising promoting and" to "advertising, promoting, and"

#### AMENDMENT NO. 18

On page 19, line 15, following "retailer" and before "and" insert a comma ","

#### AMENDMENT NO. 19

On page 20, line 4, following "sells" and before "eggs" delete "his"

#### AMENDMENT NO. 20

On page 20, line 17, at the beginning of the line and before "other" change "certificate or permit or" to "certificate, permit, or"

#### AMENDMENT NO. 21

On page 20, line 19, following "fees" and before "and" insert a comma ","

#### AMENDMENT NO. 22

On page 21, line 6, following "revoked" and before "or" insert a comma ","

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Smith moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adeley	Hines	McPherson
Bajoie	Holden	Michot
Barham	Hollis	Mount
Boissiere	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Tarver
Dupre	Jones, CD	Theunissen
Gautreaux	Lambert	Thomas

Heitmeier                      Lentini                      Ullo  
Total—30

NAYS

Mr. President                      Dean  
Cain                      Malone  
Total—4

ABSENT

Bean                      Fields                      Marionneaux  
Ellington                      Fontenot  
Total—5

The Chair declared the amended bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Mr. President in the Chair

#### SENATE BILL NO. 838—

BY SENATORS ELLINGTON, BARHAM, GAUTREAUX, HINES, SMITH, THEUNISSEN AND THOMAS

AN ACT

To amend and reenact R.S. 3:1614(C) and 1617(A) and to enact R.S. 3:1614(D), relative to agricultural assessments; to provide for certain referendum involving boll weevil assessments; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

#### SENATE BILL NO. 947—

BY SENATOR SMITH

AN ACT

To enact R.S. 9:275.5, relative to covenant marriage; to provide for limitation of liability for a pastoral counselor; to provide for an exception; and to provide for related matters.

On motion of Senator Smith, the bill was read by title and returned to the Calendar, subject to call.

#### SENATE BILL NO. 983—

BY SENATOR DARDENNE

AN ACT

To amend and reenact Children's Code Art. 1015(3); relative to termination of parental rights; to provide for the termination of parental rights of parents who have been convicted of sexually abusing their children; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 983 by Senator Dardenne

#### AMENDMENT NO. 1

On page 1, line 7, following "amended" and before "to read" insert "and reenacted"

On motion of Senator Lambert, the amendments were adopted.

### Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 983 by Senator Dardenne

#### AMENDMENT NO. 1

On page 2, line 21, delete "**43.4**."

On motion of Senator Dardenne, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Heitmeier	McPherson
Adley	Hines	Michot
Bajoie	Holden	Mount
Barham	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Gautreaux	Lentini	
Total—32		

#### NAYS

Total—0

#### ABSENT

Bean	Fields	Marionneaux
Chaisson	Fontenot	
Ellington	Malone	
Total—7		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

### Introduction of Senate Bills and Joint Resolutions

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

#### SENATE BILL NO. 1026—

BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 11:1941(2), relative to the Parochial Employees' Retirement System of Louisiana; to provide with respect to eligibility for normal retirement; to provide for twenty-five year retirement under certain circumstances; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

**SENATE BILL NO. 1027—**  
BY SENATOR JOHNSON**AN ACT**

To enact R.S. 14:40.4, relative to assault, battery, and related offenses; to prohibit burning a cross on the property of another or in a public place under certain circumstances; to provide penalties; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House****ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

April 15, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 779—**

BY REPRESENTATIVES DEWITT, BRUNEAU, AND LANCASTER

**AN ACT**

To amend and reenact R.S. 24:35.5(A)(11), (12), (13), (19), (20), (21), (62), (72), (73), (74), (75), (77), (82), (89), (91), (93), (94), (95), (96), (97), (98), (99), (100), and (101) and (B) as enacted by Act No. 3 of the Second Extraordinary Session of 2001, to provide with respect to the composition of House of Representative Districts 11, 12, 13, 19, 20, 21, 62, 72, 73, 74, 75, 77, 82, 89, 91, 93, 94, 95, 96, 97, 98, 99, 100, and 101, all to legislatively adopt, approve, and ratify the agreement of the parties in *The Louisiana House of Representatives, et al. v. John Ashcroft, et al.*, CA No. 1:02CV00062 (United States District Court for the District of Columbia) to secure a consent declaratory judgment in said matter; to provide for effective dates; and to generally and specifically and otherwise provide with respect thereto.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**Rules Suspended**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**House Bills and Joint Resolutions  
on Second Reading to be Referred,  
Subject to Call**

The following House Bills and Joint Resolutions, subject to call, were read by title and referred to committees as follows:

**HOUSE BILL NO. 449—**

BY REPRESENTATIVE TRICHE

**AN ACT**

To amend and reenact R.S. 46:236.1(1)(2), relative to child support; to provide for the collection of past due support from federal tax refunds; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 387, was read by title and referred to the Legislative Bureau.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON****HEALTH AND WELFARE**

Senator Schedler, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

April 15, 2003

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

**SENATE BILL NO. 237—**

BY SENATOR SCHEDLER

**AN ACT**

To repeal Chapter 28 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2721 through 2736, relative to Certification of Private Review Agents Performing Utilization Review; to abrogate certification by the Department of Health and Hospitals of such private review agents performing utilization review; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 263—**

BY SENATOR SCHEDLER

**AN ACT**

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(e); relative to the Department of Health and Hospitals, including provisions to provide for the re-creation of the Department of Health and Hospitals and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 301—**

BY SENATOR BAJOEIE

**AN ACT**

To amend and reenact R.S. 46:56(F)(7) relative to the confidentiality of client records; to authorize the release of non-identifying medical or genetic information from the department's records to a former foster child or his representative; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 314—**

BY SENATOR SCHEDLER

**AN ACT**

To amend and reenact R.S. 39:198(D)(3), relative to contracts for fiscal intermediary services in processing claims of health care providers; to provide for modification of the initial term of fiscal intermediary contracts; to provide for the option to extend a fiscal intermediary contract for successive twelve-month terms; and to provide for related matters.

Reported with amendments.



**SENATE BILL NO. 378—**  
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 40:2009, relative to facilities participating in the Medicaid Residential Treatment Option; to provide for mandatory accreditation of facilities providing residential supports and services by either Joint Commission on the Accreditation of Health Care Organizations or the Council on the Accreditation of Rehabilitation; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 500—**  
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 28:567(E) and R.S. 40:2103(C), 2116(D), and 2116.32(F)(2), relative to moratoria on the licensing of mental health clinics and centers, long-term care hospital facilities, nursing facilities, and home health agencies; to extend the moratorium through July 1, 2007; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 750—**  
BY SENATOR LENTINI

AN ACT

To enact R.S. 46:1078, relative to hospital service districts; to permit hospital service districts to employ, appoint, hire, or contract with persons that will negotiate rates, payment terms and other provisions of agreements with health insurance organizations and share payment, rate information and other information for and on behalf of hospital service districts singly or as a group; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 798—**  
BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 37:1358(B), relative to acupuncturists; to revise certain employment and supervision requirements for acupuncturist's assistants; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
TOM SCHEDLER  
Chairman

**REPORT OF COMMITTEE ON**

**INSURANCE**

Senator Tarver, Chairman on behalf of the Committee on Insurance, submitted the following report:

April 15, 2003

To the President and Members of the Senate:

I am directed by your Committee on Insurance to submit the following report:

**SENATE BILL NO. 53—**  
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 32:866(A)(3), relative to compulsory motor vehicle liability; to provide an exception to the limitation of recoverable damages; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 55—**  
BY SENATOR FIELDS

AN ACT

To enact R.S. 22:636.1(L), relative to automobile insurance; to prohibit insurers from canceling automobile insurance under certain circumstances; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 56—**  
BY SENATOR FIELDS

AN ACT

To enact R.S. 22:652.5, relative to automobile insurance; to prohibit use of credit information in determining whether to refuse to issue or renew, to increase premiums, or cancel coverage on a policy; to provide for penalties; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 138—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 22:2016(A) and to enact R.S. 22:215.24, relative to health insurance; to provide for health insurance coverage for services rendered by registered nurse first assistants; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 420—**  
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 22:10, relative to health insurance; to require the Department of Insurance to provide an annual assessment of state and federal health issues relating to a patient's bill of rights; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 474—**  
BY SENATOR THOMAS

AN ACT

To amend and reenact R.S. 22:5(9)(b), relative to the payment of professional malpractice or public liability claims by statewide hospital associations; to provide that the payment of claims against hospitals which are members of the association and members of societies of the association shall not be deemed to be insurance; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
GREGORY TARVER  
Chairman

**Privilege Report of the Committee on  
Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 15, 2003

To the President and Members of the Senate:

April 15, 2003

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolution has been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 37—**

BY SENATOR MCPHERSON AND REPRESENTATIVES DEWITT, FARRAR AND CURTIS

**A CONCURRENT RESOLUTION**

To posthumously commend officers Jeremy E. "Jay" Carruth and David Ezernack who were killed in the line of duty protecting the citizens of Louisiana putting the safety of others before their own lives and to offer sincere condolences to the families of these young heroes.

Respectfully submitted,  
CHRIS ULLO  
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Bajoie	½ Day	Bean	1 Day
Boissiere	½ Day	Fontenot	1 Day
Gautreaux	½ Day	Heitmeier	½ Day
Hines	½ Day	Holden	½ Day
Johnson	½ Day	Lambert	½ Day
Marionneaux	1 Day	McPherson	½ Day
Romero	½ Day	Schedler	½ Day
Tarver	½ Day	Thomas	½ Day
Ullo	½ Day		

**Adjournment**

Senator Lambert moved that the Senate adjourn until Wednesday, April 16, 2003, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Wednesday, April 16, 2003.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk